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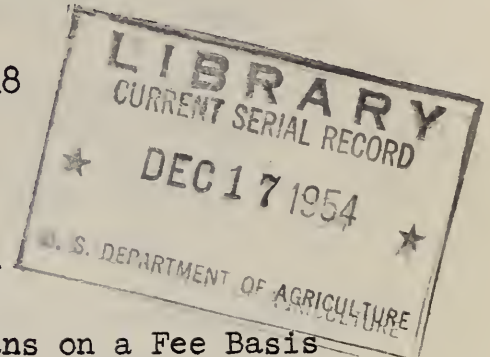


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UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL RESEARCH SERVICE  
ANIMAL DISEASE ERADICATION BRANCH  
WASHINGTON 25, D. C.

December 2, 1954

ADE BRANCH MEMORANDUM NO. 508.18



To: All ADE Field Activities Stations  
From: R. W. Morgan, Administrative Officer  
Subject: Employment of Practicing Veterinarians on a Fee Basis

I PURPOSE

The purpose of this memorandum is to clarify the position of the ADE Branch with respect to the employment of practicing veterinarians on a fee basis under Letter of Authorization.

II GENERAL

We have received, in connection with the expanded Brucellosis Program several inquiries concerning the employment on a fee basis of practicing veterinarians (1) who are over 70 years of age or (2) who are employed and paid either full time or part time by States or cities. Anticipating that many stations may be faced with the same problems, it is thought advisable to define Branch policy with respect to these and related matters.

III POLICY

a. The appointment of any individual 70 years of age or older requires prior approval of higher authorities within the Department, which can be obtained only in exceptional circumstances wherein it usually must be shown that it otherwise would not be possible to carry out essential work. In view of this and other complicating and conflicting factors, it has been decided that the ADE Branch will adhere to the practice of not employing fee basis veterinarians who are 70 years of age or older.

b. Veterinarians receiving full or part time salary from States or Municipalities may participate in the Expanded Brucellosis Program on a fee basis providing that:

1. Adequate supervision is given their work (it being assumed that veterinarians employed full time by the State or Municipality would participate in the Brucellosis Program before or after



their normal daily tour of duty in all instances).

2. The applicant furnishes you with a written statement from the person responsible for his State or municipality employment to the effect that there is no objection to the applicant participating in the Brucellosis Program on a fee basis.
  3. Such employees are used only in areas where no other practitioners are located, or in areas where other practitioners are not willing or are unable to provide the necessary service. (This paragraph applies only to those individuals employed full time by a State or Municipality.)
- c. Employment of veterinary practitioners on a fee testing basis shall be limited to accredited veterinarians. In the case of recent graduates who are not yet accredited, authorization for employment should be requested from this office.

#### IV OTHER RESTRICTIONS ON EMPLOYMENT

- a. Non-citizen veterinarians may be employed on a fee basis only if they are graduates of accredited veterinary colleges and are nationals of countries considered to be allied with the United States in the current defense effort, or are nations of the Baltic Countries lawfully admitted to the United States for permanent residence. List of the accredited colleges and acceptable countries are attached to Administrative Memorandum No. 412.1, as Exhibits A and B.
- b. Veterinarians under the age of 70 who are receiving a Federal Civil Service retirement annuity may not be employed on a fee basis without the specific prior approval of the Washington Office in each case. If it is desired to employ such an applicant, request for prior approval should be addressed by letter to the ADE Branch, accompanied by completed Standard Form 57, Application For Federal Employment, and completed Standard Form 78, Certificate of Medical Examination.
- c. Veterinarians receiving military retirement pay based on military service as a commissioned officer (regardless of whether such retirement from military service was for disability, length of service or age) may not be employed on a fee basis without the specific prior approval of the Washington Office in each case. If it is desired to employ such an applicant, request for prior approval should be addressed by letter to the ADE Branch, accompanied by completed Form H-78, Application for Employment Under Letter of Authorization, and full information as to the exact amount of the military retirement pay, the source of the retirement pay, and whether it is based on length of service, age, or disability, and, if the latter, whether the disability was incurred in combat with an enemy of the United States or was the result of the explosion of an instrumentality of war in line of duty. This paragraph does not apply to those receiving compensation from the Veterans Administration (as distinguished from retirement pay) for disabilities incurred in military service.

d. Veterinarians who have been convicted by a court for a sex offense shall not be employed on a fee basis. Those who have been arrested or otherwise involved, short of a court conviction, in a sex offense or immorality, may not be employed on a fee basis without the specific prior approval of the Washington office in each case. Veterinarians who have been arrested, indicted, summoned into court, or have otherwise been involved in the alleged violation of any law, police regulation, or ordinance for any other type of offense (excluding minor traffic violations for which a fine or forfeiture of \$25. or less was imposed) may not be employed on a fee basis for a period of more than 180 calendar days from the first day of duty without the specific prior approval of the Washington office in each such case. If it is desired to employ an applicant for which prior approval must be obtained in accordance with the two immediately preceding sentences, the request for prior approval should be submitted to the ADE Branch by letter accompanied by completed Form H-78, Application for Employment Under Letter of Authorization; a copy of the court or police record if obtainable, showing the offense with which charged and disposition of the case; and a full and complete statement from the applicant setting forth the date of the offense, the nature of it, the name and address of the court or police department, the penalty imposed or other disposition of the case, and his own version of the circumstances leading up to and surrounding the alleged offense. With respect to those who may be employed for not beyond 180 calendar days without prior approval in permissible cases, it should be kept in mind that in the event it is desired to extend their employment, the data outlined above should be forwarded to us at least one month before the expiration of the 180 calendar days to allow sufficient time to obtain the required prior approval for their continued employment.

e. Veterinarians who have been discharged or forced to resign for misconduct, delinquency, or unsatisfactory service from any position, may not be employed on a fee basis without the specific prior approval of the Washington office in each case. If it is desired to employ such an applicant, request by prior approval should be addressed by letter to the ADE Branch, accompanied by completed Form H-78, Application for Employment Under Letter of Authorization, and a statement from the applicant giving full details relative to the matter, including the name and address of the employer and the exact circumstances surrounding his discharge or forced resignation. (Note: This same procedure applies to veterans with a dishonorable discharge or one under other than honorable conditions in which case a copy of the military discharge should be submitted along with the other material specified above in requesting prior approval of employment.)

f. Veterinarians who have ever been a member of a Communist or Fascist or related or similar organization as described in the question dealing with that subject on Form H-78, Application for Employment Under Letter of Authorization, may not be employed on a fee basis without the specific



prior approval of the Washington Office. If it is desired to employ such an applicant, request for prior approval should be addressed by letter to the ADE Branch, accompanied by the completed application form and a full statement from the applicant setting forth the circumstances surrounding his membership in such an organization.

#### V INJURY COMPENSATION

We have asked the Bureau of Employees' Compensation to confirm our assumption that fee basis veterinarians are entitled to the provisions of the Federal Employees' Compensation Act for injuries sustained in Federal employment. As soon as this confirmation is received from the Bureau of Employees Compensation, this information will be forwarded to you along with appropriate suggestions.

#### VI POLITICAL ACTIVITY

In connection with employment under Letter of Authorization of fee basis veterinarians, particular attention is invited to Chapter 57, Title 8, of the Field Manual of Administrative Regulations dealing with prohibited political activities.

*Thurman*